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MAIL STOP PCT
Attorney Docket: 27133U
Date: April 20, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
KOHL, et al.

Art Unit: Unknown
Examiner: Unknown

Appl. No.: 10/564,768

Filed: January 17, 2006

International Application: PCT/EP2004/051578

International Filing Date: July 22, 2004

For: **ALKALINE SALTS OF PROTON PUMP INHIBITORS**

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

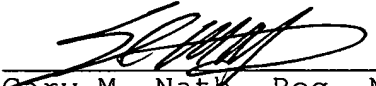
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Information Disclosure Statement;
- 2) PTO Form-1449 with 17 cited References;
- 3) Copies for 10 of the 17 cited References.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,
NATH & ASSOCIATES PLLC


Gary M. Nath, Reg. No. 26,965
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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

[XXX] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.

The enclosed statement is accompanied by [check one]:

- [] i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or
[] ii. a check in the amount required by 37 C.F.R. 1.17(p).

☐ c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.
☐ Certification report(e) below; and
☐ a check in the amount as required by 1.17(p).

☐ d. The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

☐ e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

[XXX] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[XXX] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

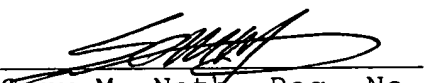
and / or

[XXX] Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
NATH & ASSOCIATES PLLC


Gary M. Nath, Reg. No. 26,965
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Customer No. 34375

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APR 20 2006

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FORM PTO-1449

In re Application of:
KOHL, et al.Art Unit:
UnknownAppl. No:
10/564,768Filed:
January 17, 2006Examiner:
Unknown**INFORMATION DISCLOSURE CITATION****U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Issue / Publication Date	Inventor	Filed
A1	4,738,974	19 Apr. 1988	Brändström	21 Apr. 1986
A2	4,758,579 (corresponds to EP 0 166 287 A1)	19 Jul. 1988	Kohl, et al.	28 Apr. 1987
A3	5,693,818	2 Dec. 1997	Von Unge	27 May 1994
A4	5,997,903	7 Dec. 1999	Dietrich et al.	13 Jun. 1992
A5	6,369,085	9 Apr. 2002	Cotton et al.	5 May 1998
A6	6,410,569	25 Jun. 2002	Kohl	12 Aug. 1999

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Publication Date	Country	Translation
A7	100 61 137 A1	20 Jun. 2002	DE	Abstract
A8	0 005 129 B1	31 Oct. 1979	EP	N/A
A9	0 166 287 A1	2 Jan. 1988	EP	Corresponds to US 4,758,579
A10	0 174 726 B1	19 Mar. 1986	EP	N/A
A11	0 268 956 B2	1 Jun. 1988	EP	N/A
A12	92/08716 A1	29 May 1992	WO	Abstract
A13	94/24867 A1	10 Nov. 1994	WO	N/A
A14	94/25028 A1	10 Nov. 1994	WO	N/A
A15	97/41114 A1	6 Nov. 1997	WO	N/A
A16	00/10995 A1	2 Mar. 2000	WO	N/A
A17				
A18				
A19				
A20				

OTHER

Examiner Initial	(Including Author, Title, Date, Pertinent Pages, etc.)
A21	Kohl, B., et al., "SYNTHESIS AND BIOLOGICAL ACTIVITY OF ENANTIOMERS OF H ⁺ K ⁺ -ATPase INHIBITING 2-(2-PYRIDYL-METHYL)SULPHINYLBENZIMIDAZOLES (PSBs)", Poster Symposium Montreal, September 19-24, 1993
A22	
A23	

Examiner	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.